

# A FREE CONSTITUTION.

## SPEECH

OF

HON. JAMES F. WILSON,

OF

IOWA.

DELIVERED IN THE HOUSE OF REPRESENTATIVES MARCH 19, 1864.

The House being in Committee of the Whole on the state of the Union, Mr. WILSON said:

Mr. Chairman: On the first day of the present session of Congress I gave notice of my intention to introduce a joint resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States. On a subsequent day, in pursuance of the notice thus given, I introduced and had referred to the Committee on the Judiciary the following joint resolution:

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of said Constitution, namely:*

### ARTICLE XIII.

SEC. 1. Slavery, being incompatible with a free government, is forever prohibited in the United States; and involuntary servitude shall be permitted only as a punishment for crime.

SEC. 2. Congress shall have power to enforce the foregoing section of this article by appropriate legislation.

I am well aware, sir, that a proposition in the Congress of the United States to so amend the Constitution of the Republic as to weaken or destroy slavery is a novel thing. With bills, resolutions, and propositions to amend the Constitution to more firmly establish, extend, and perpetuate slavery the country has been perfectly familiar. It was long the custom in this body whenever slavery became excited and angry, to try to appease its wrath by offering it some new hold on the life of the nation, some greater advantage over free government and human liberty. When slavery cried, "Give, give," by force of habit and loss of con-

science we always responded by offering more than it demanded of us. We were the slaves of the slave power.

When slavery became a political power, and held in its hands the rewards which ambition covets, the nation became its most cringing, fawning, stupidly debased slave ; and a most cruel task-master it proved. Its political career was an incessant, unrelenting, aggressive warfare upon the principles of the Government, the objects for which the Constitution was ordained, the rights of the people, the development of national resources, the advancement of education, the establishment of public morals, and the purity of religion. It touched everything, defiled everything. And we submitted quietly, tamely, cowardly, while the work of destruction and death was carried on by this insatiable enemy of all that is lovely, desirable, just, and sacred. No political power, whether found in republics or despotisms, ever wielded so baneful an influence on the affairs of nations or men as the one to which we so passively submitted, and under whose shadow we so fearfully dwarfed. Its progress was a constant, crushing dead march over everything which stood in the way of its own aggrandizement ; and everything desirable to a free people stood in its way. The nation grew stupid under the manipulations of slavery, and seemed to know but little, and to care less, of the danger which threatened the free institutions of the country with destruction.

The public opinion now existing in this country in opposition to this power is the result of slavery overleaping itself, rather than of the determination of freemen to form it. But, however formed, thank God it is formed, and is our priceless possession of real, active, national life, never to be surrendered. We must hold all that we gained, and add to the strength of public opinion by daring to do our duty as if in the immediate presence of Him who directs the destinies of nations. We may now talk of freedom, act for it, legislate for it, and above all other acts we may place one which shall stamp universal freedom on our national Constitution, never to be erased, never to die while the Republic lives. To accomplish this great end I introduced the joint resolution to which I have alluded, and I believe its passage is desired by the truly loyal people of the country almost without an exception.

In preparing the resolution I was careful to present but one issue, the incompatibility of slavery with a free government. This issue is no reflection on the wise and good men who laid the firm foundations and fashioned the sublime architecture of our Constitution. They entertain not the remotest idea that they were tolerating a tenant in the grand structure which would, when warmed into life and developed into the form of a political power, endeavor to tear down the altars of liberty, and erect in their stead a throne of absolutism and death. The often-expressed and universally understood views of the fathers fully attest that they regarded this tenant as the thing to be tolerated only because it promised speedy dissolution. They found it in the house they were erecting for the protection of themselves and their children, looked upon it with horror, and left it to die, never suspecting the dreadful power it embodied. Surrounded by the grand teachings of a successful war, based upon principles utterly destructive of slavery if enforced, they looked forward to the death of the latter by the mere development and power of the former. They believed in the incompatibility of slavery with a free government ; but they regarded the latter to be the stronger, not yet having had experience with

slavery as a political power. These reasons will account in great part for the absence from the Constitution of a section prohibiting slavery. It is impossible to believe that the master workmen who gave to us this best of human Governments, in the least degree suspected that they were transmitting with it the seeds of dissolution. They believed their work secure from molestation by this tolerated thing which all good men loathed and expected to see pass speedily away. In this they were mistaken, as we have discovered to our deepest sorrow and infinite cost. But their wisdom provided the means for overruling the disastrous consequences of their mistake. The Constitution which they formed, and which the people ordained and established, contains ample provisions for accomplishing the destruction of that power which so long disturbed the tranquillity of the nation, and finally enveloped us in the whirling, leaping, encircling red flame of war. The fifth article of the Constitution of the United States reads as follows :

"Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution ; or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions of three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress : *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

This highly practical section of the Constitution, free from all conditions and limitations since the year 1808, with regard to the subjects concerning which amendments may be adopted, with the single exception of the suffrage of the States in the Senate, was provided as a means for adapting the fundamental law of the Republic to the changes incident to the development of the nation. It is the safety-valve of the Constitution, so constructed and guarded as to prevent hasty and inconsiderate action, and utterly destructive of every pretense for forcible revolution. It is impossible to justify a resort to force as a remedy for wrongs, imaginary or real, while this recognition of the great doctrine that "Governments derive their just powers from the consent of the governed" remains a part of our organic law ; and it would be equally difficult to justify the existence of anything in the Government destructive of the inalienable rights of "life, liberty, and the pursuit of happiness," without, at least, an earnest and determined effort to remove it. When the people established the Constitution, embracing the section which I have quoted, they agreed upon the means whereby the consent of the governed should be determined, and by the same act placed upon themselves and upon us the responsibility attached to those things which interfere with the inalienable rights of man, or which tend to the destruction of free government. Amendments proposed by Congress, or by a convention called for that purpose, and adopted or rejected by the Legislatures of the several States, are the mediums through which the consent of the governed is to be determined concerning all things not now provided for in the Constitution. It was a fair agreement, placing upon each and every citizen, and upon the several States, all of the risks and responsibilities incident thereto, for "we, the people of the United States," made it. It was expected that the nation would develop into grander proportions, its interests become more varied, its

wants and necessities increase, and that it might be beset by dangers not occurring to the minds which moulded the form of the organic law. It was agreed and expressly provided that the Constitution should grow to meet all these new demands, keeping within the bounds of its ordination "to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

This section of the Constitution is my authority for introducing the joint resolution which I have read; and it also imposes upon this House the responsibility of meeting the question fairly, and with a view to the promotion of the best interests of the nation, by releasing it from the thralldoms of a hostile power which has entwined itself around the heart and life of the Republic. The proposition introduces no intricate question of constitutional law for discussion. It simply submits a question of fact for our determination, upon which the past and present throw such a flood of light that not even willfulness can lead us astray. Is slavery incompatible with a free Government? This is the true question involved; and no artful summonings of cunningly-devised side issues, or of the ghosts of dead expediences, can release any member of this body from passing upon this single issue. It is all there is in the case. The contest is squarely between slavery and free government, and in this light it is to be conducted to the end. Let us follow it, and see how it will end.

Slavery is defined to be "the state of entire subjection of one person to the will of another." This is despotism, pure and simple. It is true that this definition concerns more the relations existing between master and slave than it does those between the system of slavery and the Government. But we need not hope to find a system purely despotic acting in harmony with a Government wholly, or even partially, republican. An antagonism exists between the two which can never be reconciled. This our experiences with the principles involved have taught us is a truism from which indifference will not enable us to escape, nor dissimulation release us. But when we connect with the despotism of the slave system of this country the immense land and money power embraced in it, and reflect how thoroughly it had become interwoven with the entire social fabric of nearly one half of the States, we can more readily understand and fully comprehend how and why this antagonism took upon itself the form of political organization through which for many years it controlled the nation, and through which it insisted on the death of the Republic when it could control no longer. We can also understand why the system of which this antagonism is the active life took possession of every department of the local governments of the States where it existed, and hedged itself about with laws which were not only violations of the fundamental principles of our national Constitution, but disgraceful to civilization and destructive of free government. No man, whose conscience has vitality sufficient to make him honest, can read the slave codes of the Southern States without admitting that they are utterly repugnant to the genius of our free institutions and irreconcilably opposed to the theory of our Government. And yet every one knows that these tyrannical, hostile, and barbarous codes were absolutely necessary for the preservation of the slave system, even in those dark days of slavery's rule which existed before the present war awakened to its true and real life the moral sense of the nation, and forced its ever-enduring light into the beclouded minds of the bondmen of this land, quickening their perception into that keen apprecia-

tion of every man's right to "life, liberty, and the pursuit of happiness," which bids defiance to slave codes, and effectively asserts and maintains the right of every man to own himself. The system, being a pure despotism, was forced to resort to despotic laws for support, defense, and perpetuation.

It was perfectly natural for the comparatively few men who held four million human beings in a bondage which puts to shame all other kindred systems which ever cursed man for their mildness, not only to resort to cruel and despotic laws for aid in their diabolical act, but also to seek refuge in the anti-republican dogma that "the right to govern resides in a very small minority; the duty to obey is inherent in the great mass of mankind." Domestic slavery, backed by immense capital and political power, knitted its lethargic web closely and firmly around statesmen and parties, and soon forged fetters for holding the mass of the people in governmental slavery. The minority commanded, and flew to arms to destroy the Government when the mass of the people refused to obey; and the war which is now so severely taxing the energies of our people, and drawing so exhaustively on the resources of the country, is the legitimate offspring of the attempt of a reckless, insolent, and depraved slaveholding oligarchy to mould this Government into a political counterpart of that barbaric domestic despotism which asserts the right of property in man. "The state of entire subjection of one person to the will of another," struck hands with "the right to govern resides in a very small minority; the duty to obey is inherent in the great mass of mankind." Domestic slavery and political slavery were joined in unholy wedlock in the temple of the Republic, and their infernal progeny are now trying to demolish the grand edifice in which their incestuous parents plighted their criminal vows. The entire combination, from minutest nefarious particle to its aggregated atrocity, is an anti-republican, despotic whole, the sworn enemy of all that is good, the bane of all that is just.

Mr. Chairman, we can cast our eyes upon no page of this nation's history whereon it is not written, "Slavery is incompatible with a free Government." We have tried to close our eyes against this constantly repeated and self-evident truth. We have tried to reason it away, to practice arts which should carry us around it, or over it, or under it. We have failed to accomplish the desired result. As immutable as the laws of God stands the declaration, "Slavery is incompatible with a free Government." Decked with the habiliments of death, surrounded by all the dread scenes of war, this incompatibility is thundering at the gates of the citadel of the Republic, demanding recognition. The loyal inmates command us to obey the summons. But we have not yet had enough of sorrow, desolation, and death. We must stop and reason, while the national treasure pours out in streams of increasing volume, while the life-blood flows from other hearts, while graves in untold numbers are preparing, and the ashes of desolation are cast upon unnumbered hearthstones. We must not act rashly. We must be calm, discreet, dignified. We must inquire why this great thunderer is thus disturbing our old traditions and confusing our conservative ideas. Well, let us examine this demand, and ascertain upon what facts it is supported.

In order to understand perfectly the objects which the people had in view when they ordained the Constitution of the United States, we must turn to the preamble which introduces us to that instrument. When we give it our attention we find it a very plain-spoken guide, void of guile or dissimulation. It discloses to us, first, that the Constitution is the work

of the people ; and this at once develops the thoroughly republico-democratic character of the Government established. It was a grand creation of the people for their own security in the possession of the great objects expressed in the preamble. All of the powers embraced in the Constitution were placed there for the sole purpose of putting these objects above interference from any source, and beyond the hazard of loss. These objects are not only compatible with, but absolutely necessary to, the existence and enjoyment of a free Government. No one of them can be destroyed without detriment to the whole ; and anything which by its nature is incompatible with either stands in the same relation to all the rest, and must, if permitted to acquire supremacy, ultimately subvert the free principles of the Government itself. How does the account stand between slavery and these great objects ? Let us give our attention to this question for a few minutes, for it is one of transcendent importance.

The first object of the people was "to form a more perfect Union." What has been and is now the attitude of slavery toward this primary object of the Constitution ? When slavery, in the natural, threatening and disturbing course of its development, assumed the character and form of a political power, its first act was a denial that the *people* had formed a "more perfect Union," coupled with the assertion that the Union was a mere compact between the several *States*, which might be dissolved at the pleasure of any party thereto. This position was selected as most likely to terrify the people into submission, while their power was being transferred to the hands of the few, and as affording a plausible pretext for the destruction of the Union, in the event freedom should prove too strong for slavery, and the people should refuse to surrender their power into the hands of those who would destroy their liberties. Shrewd calculators were the men who selected and intrenched this position. For many years the terrors which they exhibited to the people from this cunningly masked battery of error held the mass in check. But, when it was almost too late, the people discovered their danger, regained their power, resolved to enforce the grand principles and traditions of justice and liberty, and stood up in their majesty masters of the situation. Slavery flew to its last resort, sought to enforce by strife and battle its doctrine of a compact of States, and the right to dissolve the same at pleasure, and for three long and bloody years has been, by the dread power and fearful engines of war, seeking the destruction of the Union of the people.

The second object of the people was "to establish justice." How could slavery stand otherwise than opposed to this ? Slavery is injustice. The establishment of justice would destroy slavery. Both cannot live together in peace. In the very nature of things a state of strife, contention, war, will and must exist unceasingly between these two irreconcilable enemies until one shall succumb to the other. Justice is "the virtue which consists in giving to every one what is his due ; practical conformity to the laws and to the principles of rectitude in the dealings of men with each other." Slavery is the direct, perfect, absolute opposite of this. Must not the house in which these two antagonisms exist be divided against itself ? Can such a house stand ? Is it possible to establish justice and maintain slavery ? The long, dark, terrible record written on the pages of an incessant strife, first in unhealthy, feverish, exhausting political excitements, and finally in the best, truest, and bravest blood of the nation, and now culminating amid the awful scenes of a war unprecedented in propor-

tions and unequalled in the matchless glory of its promised results, furnishes to us and to the world an unquestionable negative to the queries I have submitted. Slavery challenged the people in their endeavors to establish justice, and resorted to the ordeal of battle against them in their efforts to maintain a Government founded upon this divine attribute. The ordeal of battle is not yet closed. The contest is in the full tide of its power. All around the combatants the nations of the world as spectators press with an eagerness and intensity of interest never before prepared for the pages of history, while the spirits of the fathers of our republican system look down from their bright and blest abode, hoping for the triumph of justice, and appeal to God who has gathered them to Himself to strengthen the arms which strike for the right. We know, the peoples of the earth know, the spirits of the fathers know, that this grand struggle for victory can be terminated only by the triumph of justice and the death of slavery, or by the success of slavery and the death of the Republic. No compromise can be made, no truce can be adjusted, no silver-tongued appeals for peace can be heard amid the din of this fierce conflict. We must establish justice upon the tomb of slavery, or have it not at all. We must establish it or acknowledge the Republic a failure. We will establish it by destroying, in the manner and form prescribed by our Constitution, that which stands in our way—slavery.

Another object to be accomplished by the adoption of the Constitution was to "insure domestic tranquillity." This was the voice of the people. How stands the account between the Republic and slavery concerning this grand purpose of the people? When, since slavery assumed political proportions, has it subserved the great end of domestic tranquillity? It has been powerful, but what are the fruits of its power? The long line of political, legislative, judicial history of this nation presents not a page which is not disfigured by some blot placed upon it by the aggressive, intolerant, exacting, and despotic spirit of slavery. From school-book to statute-book, from hearthstone opinions to decisions of the Supreme Court of the United States, from political hustings to the sacred desk, from town meetings to Congress, no bright spot appears without a blemish from the hands of the restless, meddling, disturbing genius of slavery. Everywhere its footprints appear, always tending toward a disturbance of our domestic tranquillity. We had no national repose, for constant pro-slavery agitation kept a continual fever in the national system, consuming its energies and its life. This was the condition of the nation in the so-called times of peace, and before the good guns of Sumter answered the war summons of slavery. Since that time our domestic tranquillity, always disturbed, has been enveloped in the dark, dense, impenetrable cloud of war thrown over it and around it by the spirit which discharged the first shot against the flag of the Union, and commenced the present deplorable trial by battle. Instead of insuring domestic tranquillity slavery has been an irrepressible disturber of the nation's repose. It accorded to us no rest in our mis-called days of peace. Steadily it pressed us toward despotism or war. We declined to advance further upon either of these dread alternatives, and turned our faces back to the position which the fathers had occupied. No sooner was our gaze turned in that direction than slavery's shrill bugle-blast aroused the people to the fearful realities of the most gigantic, wicked, and causeless civil war that ever cursed the earth or disturbed the repose of nations. Summoning to its standard panoplied hosts of deceived, mis-

guided, ignorant men, keeping step under the flag of death to the music of disunion, it has forced from the shops and offices and stores and fields of the loyal and freedom-loving North, hundreds of thousands of the brave, true, intelligent, patriotic sons of the Republic to sterner work than the enjoyment of domestic tranquillity—to the battle-field, to death, and the grave. Mourning households, broken hearth-circles, bleeding hearts, everywhere bear witness that slavery is the destroyer and not a promoter of domestic tranquillity.

"To provide for the common defence" was another declared purpose of the people when they ordained the Constitution. The common defence of a republic can never be insured by nurturing within it its implacable enemy. The elements on which a republic relies for that concentration of resources and strength necessary to effective common defence must be homogeneous. Anything which prevents this is inimical to the prosperity and success of the Government. Doctrines of governments, systems of labor, social organizations, commercial and manufacturing interests, religious, moral, and educational purposes, all must be so connectedly harmonious "as to create a chain of mutual dependencies," each relying on its fellows for support, while all work in unison for the accomplishment of a common end. Interrupt this harmony, and the rule which enforces the resulting discord is arbitrary, and, consequently, at war with free government. And we must remember that the common defence which the people declared for, and which our security demands, is not merely that which shall meet and overcome the assaults of foreign Powers, but has quite as direct reference to the preservation of the equipoise of our republican system in opposition to all hostile efforts and influences originating among ourselves. Very little good would result from a mere maintenance of our territorial proportions in opposition to outward assailants, if we should fail to preserve our republican forms, our Christian principles, our true moral and social characteristics, from internal efforts to destroy them. We have long had, and now have, a wily, aggressive, restless, domestic enemy, which has to a greater extent imperiled the nation than have all other foes combined. It has interfered with every element of national strength, by aggressing upon our doctrines of government, forcing collision between systems of labor, distracting our social organizations, disturbing our commercial relations, injuring our manufacturing interests, dividing our religious communities, debauching the public morals, preventing universality of education, and forcing discord into every fibre of the Republic. Slavery has done this, and now wages war for the purpose of completing the destruction of the nation. These are the contributions of slavery to the common defence.

Following naturally and logically in the chain of objects declared by the people, we find the next is to "promote the general welfare." In opposition to this slavery has stood as a wall of brass. For the aggrandizement of a privileged class, the upbuilding of an aristocracy, and the debasement of the masses, slavery has been the chief instrument. But all these ends are opposed to the general welfare. That must rest upon things quite different—upon equality, democracy, and the elevation of the masses. There can be no true development of those qualities which make a nation great and prosperous unless its energies are so diffused as to reach all classes, all interests, all sources of power, and embrace them all in its grand march of progress. Who ever measured the mighty resources of this nation before the present war broke the spell which slavery had cast over the people, and set the na-



tional mind and conscience free? Three years, marked by the bloody foot-prints of war, surcharged with the griefs of a hundred battle-fields, have done more for the development of the powers and resources of this nation than half a century accomplished when slavery controlled the national mind. When slavery ruled, the energies of the people were comparatively dormant. What little of vigor worked its way up to and through the incrustated surface was made captive by the interminable political agitations with which slavery disturbed the country and checked the progress of the Republic. Underlying these agitations were false principles of political economy, unsound doctrines of government, erroneous theories of trade and commerce, ruinous systems of public policy, unjust systems of labor, everything which was calculated to retard the true advancement of the nation. These agitations dominated everything. The brain-force of the country was subject to them. They everywhere overshadowed the material interests of the country, directed its legislation, overawed its executive agents, controlled its courts, corrupted its religion, debased its morals, vitiated its literature, beclouded and benumbed everything upon which a people must rely for greatness, prosperity, happiness, and the promotion of the general welfare. They kept the public mind in a constant state of unhealthy excitement, and infused their poison into every vein and artery of the body-politic.

Sir, this is the past as moulded by slavery. Shall the future be its harmonious counterpart? Shall we pass through this horrid political nightmare again to be awakened therefrom by the bugle-blast and cannon-roar of another war, or shall we secure a permanent peace to ourselves and our children by firmly establishing the general welfare upon the tomb of slavery? We cannot postpone these grave questions for posterity to answer. With us they abide, and we are to answer them. We must answer them, and do it faithfully for freedom, if we would have this war pass into the history of past events, and not "drag its slow length along" the pages of the future. No avenue is presented for our escape, except that which leads over the dead body of slavery. This great fact is recognized by the nation. Its immense proportions have attracted the attention of the civilized world. Shall we alone close our eyes to it and attempt to avoid its grave responsibilities? We cannot succeed in this if we should try. We ought not to try, for the general welfare of the nation forbids it.

The last, the grandest, the most sublime of the objects declared by the people in the ordination of the Constitution is, "to secure the blessings of liberty to ourselves and our posterity." Of this great object of the people, Story, in his Commentaries on the Constitution, says:

"Surely no object could be more worthy of the wisdom and ambition of the best men in any age. If there be anything which may justly challenge the admiration of all mankind, it is that sublime patriotism which, looking beyond its own times and its own fleeting pursuits, aims to secure the permanent happiness of posterity by laying the broad foundations of government upon immovable principles of justice. Our affections, indeed, may naturally be presumed to outlive the brief limits of our own lives and to repose with deep sensibility upon our own immediate descendants. But there is a noble disinterestedness in that forecast which disregards present objects for the sake of *all mankind*, and erects structures to protect, support and bless the most distant generations."

Let us not overlook that portion of this well-expressed and better-bestowed praise which rests upon the fact that the glorious work of the people was for "the sake of all mankind." Let it bring afresh to our minds that important question propounded by Jefferson:

"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God; that they are not to be violated but with His wrath?"

Has not slavery denied that this great work of the people was intended for the "sake of all mankind," and brought upon us the just chastisement of God, who intended "these liberties" for all of his creatures? What are the thunders of this war but the voice of God calling upon this nation to return from the evil paths, made rough by errors and misfortunes, blunders and crimes, made slippery by the warm, smoking blood of our brothers and friends, to the grand highway of national thrift, prosperity, happiness, glory, and peace, in which he planted the feet of the fathers? Cannot we hear amid the wild rushing roar of this war-storm the voice of Him who rides upon the winds and rules the tempest, saying unto us, "You cannot have peace until you secure liberty to all who are subject to your laws?" Sir, this declaration must be heeded. It has been whispered into the ears of this nation since first we pronounced life, liberty, and the pursuit of happiness to be the inalienable rights of all men, and now it rolls in upon us like the voice of the ocean, tendering peace or war to our election. Which shall we elect? Shall it be peace? How can it be peace while liberty and slavery dwell together in our midst? These are enemies. These are ideas which cannot dwell together in harmony. How can we have peace? Let slavery die. Let its death be written in our Constitution. Let the Constitution "proclaim liberty throughout the land to all the inhabitants thereof." This is the way to peace—firm, enduring peace, embracing all mankind, and reaching to the most distant generations. In this way only can we secure liberty to ourselves and our posterity.

But, sir, slavery has not contented itself with manifesting its incompatibility with our free Government by opposing the great objects for securing which the people ordained and established the Constitution. It has confronted the Constitution itself, and prevented the enforcement of its most vital provisions. Section two of article six of the Constitution says:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding."

Of the many provisions of the Constitution devised for the protection of the unity of the nation, this one stands first in importance. Without it the bond of union would be as weak as an invalid between whom and the grave but a breath intervenes. The supremacy of the Constitution, the laws and treaties of the United States, are necessary to our existence as a nation. Our unity can be preserved in no other way. This was the belief of those who ordained the Constitution, and our experience accords therewith. But, sir, slavery planted itself in opposition to this provision of the Constitution, and declared that it should not be enforced. Do you ask for proof? We need not go far to find it. Turn to the Constitution and take as a guide the words:

"The citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States."

To what extent has this been regarded as the supreme law of the land in States where slavery controlled legislation, presided in the courts, directed the Executives, and commanded the mob? It is a provision of most vital importance to every citizen. We could not be a nation of equals without it. It is the peerage title of our people. How has it been observed? What has been the conduct of slavery toward it? Let us turn again to the Constitution for practical aid in the solution of these questions. In the first article of the Amendments to the Constitution we find this language:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The great rights here enumerated were regarded by the people as too sacred, and too essential to the preservation of their liberties, to be trusted with no firmer defense than the rule that "Congress can exercise no power which is not delegated to it." Around this negative protection was erected the positive barrier of absolute prohibition. Freedom of religious opinion, freedom of speech and press, and the right of assemblage for the purpose of petition belong to every American citizen, high or low, rich or poor, wherever he may be within the jurisdiction of the United States. With these rights no State may interfere without breach of the bond which holds the Union together. How have these rights essential to liberty been respected in those sections of the Union where slavery held the reins of local authority and directed the thoughts, prejudices, and passions of the people? The bitter, cruel, relentless persecutions of the Methodists in the South, almost as void of pity as those which were visited upon the Huguenots in France, tell how utterly slavery disregards the right to a free exercise of religion. No religion which recognizes God's eternal attribute of justice, and breathes that spirit of love which applies to all men the sublime commandment, "Whatsoever ye would that men should do unto you, do ye even so to them," can ever be allowed free exercise where slavery curses men and defies God. No religious denomination can flourish or even be tolerated where slavery rules, without surrendering the choicest jewels of its faith into the keeping of that infidel power which withholds the Bible from the poor. Religion, "consisting in the performance of all known duties to God and our fellow men," never has been, and never will be, allowed free exercise in any community where slavery dwarfs the consciences of men. The Constitution may declare the right, but slavery ever will, as it ever has, trample upon the Constitution and prevent the enjoyment of the right.

How much better has free discussion fared at the hands of the black censor who guards the interests of slavery against the expression of the thoughts of freemen? On what rood of this Republic cursed by slavery have men been free to declare their approval of the divine doctrines of the Declaration of Independence? Where, except in the free States of this Union, have the nation's toiling millions been permitted to assert their great protective doctrine, "The laborer is worthy of his hire?" What member of our great free labor force, North or South, could stand up in the presence of the despotism which owns men and combat the atrocious assertion that "Slavery is the natural and normal condition of the laboring man, whether white or black," with the noble declaration that "Labor being the sure foundation of the nation's prosperity should be preformed by free men, for they alone have an

interest in the preservation of free government," with any assurance that his life would not be exacted as the price of his temerity? In all this broad land not one could be found. The press has been padlocked, and men's lips have been sealed. Constitutional defense of free discussion by speech or press has been a rope of sand south of the line which marked the limit of dignified free labor in this country. South of that line an organized element of death was surely sapping the foundations of our free institutions, reversing the theory of our Government, dwarfing our civilization, contracting the national conscience, compassing the destruction of everything calculated to preserve the republican character of our Constitution; and no man in the immediate presence of this rapidly accumulating ruin dared to raise a voice of warning. Submission and silence were inexorably exacted. Such, sir, is the free discussion which slavery tolerates. Such is its observance of the high constitutional rights of the citizen. Its past will be repeated in its future if the people permit it to curse the world with a continued existence.

"The right of the people peaceably to assemble and to petition the government for a redress of grievances," has been as completely disregarded as the other rights I have mentioned by the terrorism which guards the citadel of slavery. If slavery persecuted religionists, denied the privilege of free discussion, prevented free elections, trampled upon all of the constitutional guarantees belonging to the citizen, peaceable assemblages of the people to consider these grievances with a view to petition the Government for redress could not be held. If non-slaveholding whites became alarmed at the bold announcement that "slavery is the natural and normal condition of the laboring man, whether white or black," seeing therein the commencement of an effort intended to result in the enslavement of labor instead of the mere enslavement of the African race, they were not privileged to peaceably assemble and petition the Government in regard thereto, or to discuss the barbarism and arouse the people in opposition to it. Slavery held political and social power sufficient to crush all such attempts on the part of the injured people. Slavery could hold its assemblages, discuss, resolve, petition, threaten, disregard its constitutional obligations, trample upon the rights of labor, do anything its despotic disposition might direct; but freedom and freemen must be deaf, dumb, and blind. Throughout all the dominions of slavery, republican government, constitutional liberty, the blessings of our free institutions were mere fables. An aristocracy enjoyed unlimited powers, while the people were pressed to the earth and denied the inestimable privileges which by right they should have enjoyed in all the fullness designed by the Constitution.

Sir, I might enumerate many other constitutional rights of the citizen which slavery has disregarded and practically destroyed, but I have enough to illustrate my proposition: that slavery disregards the supremacy of the Constitution, and denies to the citizens of each State the privileges and immunities of citizens in the several States.

The proposition needs no argument. We all know that for many years before the commencement of the gigantic rebellion now in progress, the supporters of slavery enforced this disregard of the supremacy of the Constitution and of the privileges and immunities of the citizen, by every power and influence known to the communities cursed by the presence of a slave. Legislatures, courts, executives, almost every person holding political or social power and position in the southern States, were all arrayed

on the side of slavery, and what they could not accomplish was turned over to the mob, which, without law, with abuse, indignities, cruelties, and hempen halters, did its work with fearful accuracy and terrible exactness. Twenty millions of free men in the free States were practically reduced to the condition of semi-citizens of the United States; for the enjoyment of their rights, privileges, and immunities as citizens depended upon a perpetual residence north of Mason and Dixon's line. South of that line the rights which I have mentioned, and many more which I might mention, could be enjoyed only when debased to the uses of slavery. Slaveholders and their supporters alone were free to think and print, to do and say what seemed to them best on both sides of that line. They could think, read, talk, discuss with perfect freedom in each and every State, and fearfully they used this advantage to destroy the liberties of this country. It is quite time, sir, for the people of the free States to look these facts squarely in the face, and provide a remedy which shall make the future safe for the rights of each and every citizen. Had slavery not possessed this advantage, civil war, freighted with sorrow, desolation and death, would not have visited this nation. But since it has come, the people of the free States should insist on ample protection to their rights, privileges and immunities, which are none other than those which the Constitution was designed to secure to all citizens alike, and see to it that the power which caused the war shall cease to exist, to the end that the curse of civil war may never be visited upon us again; and that the citizen whose home is in the North shall be as free to assert his opinions and enjoy all of his Constitutional rights in the sunny South, as he whose roof-tree is the magnolia shall to the same ends be free amid the mountains of New England and the sparkling lakes of the North and the West. An equal and exact observance of the constitutional rights of each and every citizen, in each and every State, is the end to which we should cause the lessons of this war to carry us. Whatever stands between us and the accomplishment of this great end should be removed. Can we reach this end and save slavery? Can we reconcile the antagonism which have produced this war? Can we mix the oil and water of despotism and republicanism? Can we harmonize the contending elements of absolutism and free government? No, sir, it is not given to human power to accomplish these results. What, then, shall we do? Abolish slavery? How? By amending our national Constitution? Why? Because slavery is incompatible with free government. Peace, prosperity, national harmony, progress, civilization, christianity, all admonish us that our only safety lies in universal freedom.

Sir, I have endeavored to show that slavery stands arrayed against every object for the attainment of which the people ordained and established the Constitution; that it is seeking the destruction of the Union, is opposed to the establishment of justice, has disturbed our domestic tranquillity, makes war upon us instead of providing for the common defence, promotes wide-spread desolation and ruin instead of advancing the general welfare, and seeks to withhold from us and our posterity the blessings of liberty. I have endeavored to show that it has disregarded the Constitution and trampled upon the most sacred rights of the citizen. But the case is so nearly self-evident that it is difficult to argue it. The antagonism is so marked, and the incompatibility so glaringly apparent that they overshadow proof and argument. The conscience of the nation is so sen-

sitively active concerning the questions to which I have spoken, that it arrives at conclusions with the rapidity by which thought measures distance. Argument cannot travel so fast. At best it is but the baggage-train of the grand army of ideas and aspirations which is now leading this nation to that higher and purer civilization that forms the silver lining of the dark war-cloud which overhangs the Republic.

Mr. Chairman, the position which this nation maintains to-day in relation to the true character of slavery, is more perfect than that which the founders of the Government occupied. They believed that slavery was so directly opposed to justice, so distinctly arrayed against divine law, so utterly depraved and desperately wicked, that its own aggregation of enormities would speedily accomplish its dissolution. We recognize their faith as most correct, except in its conclusion. We see that the death can only be accomplished by an executioner. Slavery will not kill itself. The decree of death has been enrolled. The death-warrant was sealed by the first shot which struck Fort Sumter. But condemned culprits do not execute themselves, and slavery is no exception to the rule.

I admit that the progress of the war has accomplished much toward giving effect to the decree. In our harvest of blood we have gathered great compensatory results. The spirit of patriotism has returned to us clothed with a resurrectional brightness like unto that which shall light the heirs of glory to the abode of the eternal Father. Manhood, as it stood proudly erect in the grand, colossal, symmetrical proportions known to the early days of the Republic, again gives sublimity to American character. An acknowledged dependence on Him who guides the planets and notices the fall of a sparrow, is once more the sure defense of our people. An awakened, invigorated, concentrated national conscience revivifies our observance of justice. Fear of God and love of country blend and course from heart to extremities of the earnest masses who struggle amid the awful terrors and black woes of war for that sublime end, a true peace. These happy results have effected many of the preliminaries to the final death of the condemned disturber of our repose. Already the glowing fruits of ultimate victory gather around and about us. Thousands of human beings who were slaves at the commencement of this accursed rebellion are now enjoying the freedom which God designed for all of His creatures. The limits of slavery have been contracted by State action, and other States are directing their efforts to the further compression of the dominion of the black power which wars upon all that is good. Congress has not failed to provide a way through which men may march from bondage to freedom. The President has nobly performed his duty by striking the chains of slavery from millions of men. Public opinion, the conqueror of men and parties, the maker of Presidents and Congresses, has flung its banner to the breeze, inscribed with the glorious words, "Liberty and Union." Providence has opened up the way to that higher civilization and purer Christianity which the Republic is to attain. The very atmosphere which surrounds us is filled with the spirit of emancipation. Every throb of the popular heart sends coursing to the very extremities of national life the warm blood of freedom. These things all cheer the hearts of the true sons of the Republic. Our Red Sea passage promises to be as propitious as was that of God's chosen people when the waters parted and presented the sea-bed for their escape from the hosts upon whom the waters closed, and effected the burial appointed by Him who had declared, "Let my people go." The bow of promise now arches the heavens,

but the end is not yet. We have advanced, but promise signifies future. We hope for the end, but it is not yet abiding with us; for hope pertains to that which we do not possess. We feel that we have gained much during the terrible trial to which the Republic has been subjected, and we knew that at far too great price have the people purchased the position of which they are now the masters to permit it to pass again into the possession of the enemies of free government. The position must be fortified and the lines advanced. What freedom has gained must be intrenched by the strong arm of the Constitution. The life and treasure which the loyal citizens of the Union have expended, in amount unprecedented and with cheerfulness almost incomprehensible, must be made to secure something more durable than a lull of the storm, a delusive hope, and a deceitful peace. Security for the future must be the result of the great demands to which our people have so nobly responded. The price paid is ample, and the returns must be worthy of the grand patriotism which rose, as if by command of God, all panoplied for war, and equal to all of the exactions of the awful conflict whose birth was announced by the roar of rebel cannon over the bay of Charleston.

Sir, let us not be misled by delusive hopes, nor deceived by artful words. Let no siren song divert us from the path which the events of our fancied days of peace and the lessons of this war have marked out for us with more unerring exactness than that with which the magnetic needle points the course of the mariner on the trackless ocean. There was a lurking devil in the words of the gentleman from New York, (Mr. Brooks,) when he told us that he accepted "the abolition of slavery as a fact accomplished." He knows, the world knows, that none of the acts hostile to slavery which I have mentioned have gone beyond the fact of making men affected by them free; that no one of them has reached the root of slavery and prepared for the destruction of the system. We have made some men free, but the system yet lives, and has its thousands of active tongues all over this land, hissing its defence and seeking to benumb the public conscience by covering it over with the slime of death. One of these tongues, forked and slinky, speaks from the mouth of the man who holds in his hands the reins of the executive power of the Empire State the words:

"If it is true that slavery must be abolished to save this Union, then the people of the South should be allowed to withdraw themselves from that Government which cannot give them the protection guaranteed by its terms."

This man does not believe that the abolition of slavery is a "fact accomplished;" and he has a numerous, active, crafty, unscrupulous party at his back, every member of which accepts the teachings of this master. In this Hall busy tongues paraphrase this guilty declaration and cry aloud for the "Union as it was," with the great, black crime of slavery "as it was," or "peace on any terms."

From the other end of this Capitol, a senatorial tongue has hissed upon the records of the country these defiant words in behalf of slavery:

"By your acts you attempt to free slaves. You will not have them among you. You leave them where they are. Then what is to be the result? I presume that local State governments will be preserved. If they are, if the people have a right to make their own laws and to govern themselves, they will not only re-enslave every person you attempt to set free, but they will re-enslave the whole race."

And a tongue in this body answers, "If you destroy slavery, you destroy our free institutions." These are the tongues which are to be the oracles of the convention that is to meet at Chicago on the 4th day of next July to organize the elements of a powerful party in the interests of slavery.

Sir, is it not madness to act upon the idea that slavery is dead? We hold it as a condemned, unexecuted culprit, and know that it is not dead. Why shall we not recognize the fact and provide for the execution? We must do so, or go on digging graves and pouring sorrow into the loyal homes of the people; for the systems and ideas which flash their lightning among the clouds of this war will never cease from strife until from hill-top to mountain-top, from valley to plain, from ocean to ocean, from the lakes to the Gulf, the swelling tide of the nation's acclaim announces to the peoples of the earth that American slavery is to be known to the future only through the history of the past. To us is this great work intrusted. How shall we perform it? There lies no difficulty in our way if we will but do our duty.

The Committee on the Judiciary have authorized me to report to the House the proposed amendment to the Constitution of the United States, with a recommendation that it be passed by this body, and submitted to the Legislatures of the several States for their acceptance. A concurrence in this recommendation is the plain road over which we may escape from the difficulties which now beset us. A submission of this proposition to the several States will at once remove from Congress the question of slavery. No further agitation of this vexatious question need disturb our deliberations if we concur in this recommendation; and we shall be far advanced towards a lasting, ever-enduring peace. Send this proposition to the States, trust it to the people, fix it as a centre around which public opinion may gather its potent agencies, and we shall have accomplished more for the future tranquility of the Republic than ever was effected by Congress before. The people are now convinced of the incompatibility of slavery with free government. Let us impart to them an opportunity to give effect to their conviction. If we refuse our successors will be more obedient; for the people have decreed that slavery shall die, and that its death shall be recorded in the Constitution. We are to construct the machinery which shall execute the decree, or give place to those who will perform the bidding of the people. We cannot evade the responsibility which rests upon us by declaring that we "accept the abolition of slavery as a fact accomplished." The nation knows that this annunciation is a mere lachrymose, diplomatic intrigue employed by slavery to arrest the grand volcanic action that is upheaving the great moral ideas which underlie the Republic. The nation demands more, its faith embraces more; its acute appreciation of the true nature of the disease which preys upon its heartstrings assures it that the work of death cannot be arrested until the fact of slavery's dissolution is accomplished; and that this may not be until, by amendment of the Constitution, we assert the ultimate triumph of liberty over slavery, democracy over aristocracy, free government over absolutism.